

OCT 21 2008

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BY                       
DEPUTY

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA DIVISION

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DOUGLAS SMITH

CIVIL ACTION NO. 02-2107

VERSUS

JUDGE TRIMBLE

MARK SWAFFORD, ET AL.

MAGISTRATE JUDGE KIRK

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**J U D G M E N T**

Before the court is a motion for summary judgment<sup>1</sup> filed by the only remaining defendant in the above captioned matter, Huey Woods ("Woods"). This motion was referred to magistrate judge James D. Kirk for report and recommendation, which were issued on September 25, 2008. Any objections by plaintiff Douglas Smith were due to be filed no later than October 14, 2008.

For the reasons stated in the report and recommendation of the magistrate judge and after an independent review of the record, noting the absence of any objections by plaintiff, this court finds that Woods' motion for summary judgment should be and is hereby GRANTED and that, accordingly, all remaining claims by plaintiff against Woods are hereby DISMISSED with prejudice.

THUS DONE AND SIGNED in chambers at Alexandria, Louisiana this 21<sup>st</sup> day of October, 2008.

                      
JAMES T. TRIMBLE, JR.  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup>R. 64.